

Reporting of Employee Convictions

1005.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

The Chief of Police or his designee shall submit in a timely manner a notice to the Wisconsin Department of Justice Training Standards Bureau (WisDOJ TSB) of any appointment, termination, reinstatement, name change or status change regarding any peace officer employed by this department (Wis. Admin. Code § LES 2.01).

The Chief of Police or his designee shall submit in a timely manner a notice to WisDOJ TSB of a felony conviction or any lawful reason that disqualifies any current peace officer employed by this department or any former peace officer if this department was responsible for the investigation (Wis. Admin. Code § LES 6.02).

1005.2 DOMESTIC VIOLENCE CONVICTIONS AND PROTECTION ORDERS

Wisconsin and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Wis. Stat. § 813.12).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1005.3 CRIMINAL CONVICTIONS

Any person convicted of a felony is prohibited from being a peace officer in the State of Wisconsin (Wis. Admin. Code § LES 2.01).

Convictions of certain motor vehicle law violations and other provisions of motor vehicle law may also place restrictions on an employee's ability to fully perform the duties of the job.

While legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may prohibit him/her from carrying out law enforcement duties.

1005.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction, regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

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All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

An officer may be exempt from surrender of a firearm that he/she is required, as a condition of employment, to possess whether on- or off-duty if the peace officer is currently the subject of a domestic abuse restraining order or injunction (Wis. Stat. § 813.12(4m)(ag)). As such, members shall promptly notify the Department if they become the subject of any domestic abuse restraining order or injunction.